



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

41

VICTOR HOLANDA, AICP
DIRECTOR

DATE: SEPTEMBER 8, 2005

TO: PLANNING COMMISSION

FROM: KERRY BROWN, PLANNER

SUBJECT: THIRD TIME EXTENSION FOR REYNOLDS MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT (D000224P)

ATTACHMENTS:

1. Exhibit A - Findings
2. Original Staff Report, June 1, 2001

SUMMARY

The applicant is requesting a third time extension of Minor Use Permit/Coastal Development Permit (D000224P); a request to construct a 1250 square foot addition to an existing single story single family residence resulting in a 2172 square foot house (gross structural area) on a 4,000 square foot lot. This project will include the purchase of 343 TDC's. The project is located at 2187 Sherwood Drive in the community of Cambria.

RECOMMENDATION

Approve the third time extension to be good until September 8, 2006 (pursuant to 23.02.050) for this Minor Use Permit/ Coastal Development Permit based on findings in Exhibit A that carry over the original findings and conditions outlined in the attached staff report.

DISCUSSION

The Minor Use Permit/Coastal Development Permit (D000224P) was approved by the Hearing Officer on June 1, 2001. The D990224P became effective on July 6, 2001 and remained in effect for two years. The first and second one-year time extensions were authorized by the Planning Director and extended the life of the permit to September 8, 2005. The applicant submitted the request for a third time extension on May 20, 2005. Planning Commission approval is required for this third and final one-year time extension (pursuant to the Coastal Zone Land Use Ordinance Section 23.02.050). If substantial site work has not occurred by the end of the third extension, the use permit will become void.

Section 23.02.050 specifies that the Planning Commission may grant a third one-year time extension if the following three findings can be made:

1. That substantial site work could not be completed as set forth in Section 23.02.042 because of the circumstances beyond the control of the applicant.

The applicant has stated that the project has not yet started due to circumstances beyond their control. The applicant has health problems that have made been pursuing the addition to the residence infeasible.

Staff feels this finding can be made based on the information provided by the applicant.

2. That the original findings justifying the first two time extensions can still be made:
 - a. There have been no changes to provisions of the Land Use Element and Local Coastal Plan or Coastal Zone Land Use Ordinance applicable to the project since the approval of the land use permit.
 - b. There have been no changes in the character of the site or its surroundings that affect how the standards of the Land Use Element and Local Coastal Plan or Coastal Zone Land Use Ordinance apply to the project.
 - c. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads or schools such that there is no longer sufficient remaining capacity to serve the project.

Staff feels these findings can be made at this time. The project conforms to the North Coast Area Plan.

3. That the original findings used to justify the initial approval of this permit can still be made pursuant to Coastal Zone Land Use Ordinance Sections 23.02.033c and 23.02.034c(4).

Staff feels these original permit findings can still be made. These findings are outlined in the attached findings from the June 1, 2001 Staff Report.

Exhibit A **4-3**
(D000224P) - Findings for Third Time Extension

- A. Substantial site work has not yet occurred.
- B. Substantial site work could not be completed as set forth in section 23.02.042 of the County Code because of circumstances beyond the control of the applicant.
- C. There have been no changes to the provisions of the Land Use Element and Local Coastal Plan or Coastal Zone Land Use Ordinance applicable to the project since the approval of the land use permit.
- D. There have been no changes in the character of the site or its surroundings that affect how the standards of the Land Use Element and Local Coastal Plan or Coastal Zone Land Use Ordinance apply to the project.
- E. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads or schools such that there is no longer sufficient remaining capacity to serve the project.
- F. The original findings for approval of the Minor Use Permit/Coastal Development Permit **(D000224P)** can still be made and the original conditions of approval are still adequate to ensure the project's consistency with the General Plan and applicable zoning and building ordinances.



REVISED 6/11/01

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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

TENTATIVE NOTICE OF ACTION

APPROVAL DATE: JUNE 1, 2001

LOCAL EFFECTIVE DATE: JUNE 15, 2001

APPROXIMATE FINAL EFFECTIVE DATE: JULY 6, 2001 (approximately 5 weeks after local approval).

SUBJECT: MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT JAMIE REYNOLDS/ DAVID BROWN - D0000224P - A REQUEST TO ALLOW A 1250 SQUARE FOOT ADDITION TO AN EXISTING SINGLE FAMILY DWELLING RESULTING IN A 2172 SQUARE FOOT HOUSE. THE PROJECT WILL INCLUDE THE PURCHASE OF 343 SQUARE FEET OF TDC'S. LOCATED AT 2187 SHERWOOD DRIVE IN THE COMMUNITY OF CAMBRIA (023-041-043).

RELATIONSHIP TO APPLICABLE COUNTY LAND USE AND DEVELOPMENT POLICIES AND ORDINANCES

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATIONS: Local Coastal Plan, Archaeological Sensitive Area, Coastal Appealable Zone

LAND USE ORDINANCE STANDARDS: Section 23.07.104 - Archaeologically Sensitive Area

Does the project conform to the Land Use Ordinance Standards: Yes, with conditions of approval

PLANNING AREA STANDARDS: NORTH COAST, CAMBRIA URBAN AREA STANDARDS:

COMMUNITY WIDE: 5. Setbacks - Small Lot Tracts a. Sherwood Drive, front: 5 feet, bluff: 25 feet.

RESIDENTIAL SINGLE FAMILY: Height Limitation - b. Sherwood Drive 15' maximum.

Does the project conform to the Planning Area Standards: Yes, with conditions of approval.

RECOMMENDATION:

Approval with the findings contained in "Exhibit A" and conditions of approval contained in "Exhibit B".

PROJECT DESCRIPTION/ORDINANCE COMPLIANCE

The project was reviewed for conformance with the North Coast Area Plan, Cambria Urban area standards

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(including Lodge Hill Standards) and was determined to be consistent with these standards with the recommended conditions of approval. The project meets all community wide setback requirements and height limitations.

The project was reviewed for conformance with the applicable sections of the Coastal Zone Land Use Ordinance and was determined to be consistent. The project requires a Minor Use Permit because it is appealable to the California Coastal Commission, the project site is located within 300 feet of the inland extent of the beach.

Lodge Hill Standards (Marine Terrace)

Site Description: Lot Size: 4,000 square feet
Double Lot (Voluntarily merged)
Large lot adjustment: 1.143

PROJECT REVIEW:	ALLOWABLE	PROPOSED	STATUS
FOOTPRINT (SQUARE	1,829	2,172	OK (343 TDC's)
GSA (SQUARE FEET)	1,829	2,172	OK (343 TDC's)
DECKS (SQUARE FEET):			
PERVIOUS	N/A	0	OK
IMPERVIOUS	183	180	OK
HEIGHT (FEET)	15	15	OK
SETBACKS (FEET):			
FRONT	5	5	OK
REAR (BLUFF)	25	25	OK
SIDE	5	5	OK
Street Side	N/A		OK

Bluff Stability

The existing house was built in 1965. A reinforced concrete sea wall running along the base of the bluff was also built in 1965. In 1997, a second sea wall was constructed connecting the Reynolds seawall and a neighboring seawall to the south, forming a continuous protective structure. This seawall was constructed to protect the residences and Cypress trees (see Cleath & Associates 1996 and 2001).

Discussion

There are 3 Cypress trees that border the southern property line, and several neighbors have expressed concerns about the proximity of the trees to the proposed addition. To mitigate for any possible impacts the construction may have on the trees, a condition has been added to consult a licensed arborist on all grading and foundation work.

In addition, neighbors have expressed concern about the potential for a loss of views as a result of the proposed addition. However, after careful consideration by staff, it appears that only minor private views will be impacted by the proposed project. Since there are no potentially significant impacts to public views, no mitigation or re-design is necessary to address this issue.

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There has also been some community concern over the possibility that the existing house may be an historic structure. The house was built in 1965 and designed by Warren Leopold, a renowned local architect. Since the structure is less than 50 years old, it would not be considered a "historic" resource under the criteria in CEQA.

Advisory Council

This project was approved at the North Coast Advisory Council on February 21, 2001.

FINAL ACTION

This tentative decision will become final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant to Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calendar day local appeal period after the administrative hearing.

The applicant is encouraged to call the Central Coast District of the CCC @ (831) 427-4864 to determine the date of the final action on the project. The County will not issue any construction permits prior to the end of the Coastal Commission process.

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EXHIBIT A - FINDINGS - D0000224P

- A. The proposed project or use is consistent with the Local Coastal Program and the Land Use Element of the general plan because it is a single family residence located in an area designated "Residential Single Family" allowed by Table "O" of the Land Use Element and Local Coastal Plan.
- B. The proposed project satisfies all applicable provisions of Title 23.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the residence will be required to satisfy the provisions of the Uniform Building Code, and the Coastal Zone Land Use Ordinance pertaining to health and safety.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because it is a single-family residence located in a residential area with similar development intensity.
- E. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because it is a single family residence located on Sherwood Drive, a local road capable of carrying the traffic generated by the project.
- F. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act and structure will not preclude public access to and along the coast where an accessway is consistent with the provisions of Section 23.04.420 (Coastal Access Required) because as conditioned the applicant will provide a lateral access dedication of 25 feet of beach available at all times during the year. Where topography limits the beach to less than 25 feet, lateral access shall extend from the mean high tide to the toe of the bluff. The existing coastal access ways nearest to the site is currently located approximately 90 feet to the north of the project site.
- G. On the basis of the initial study, the project will not have a significant impact and therefore qualifies for a Negative Declaration in accordance with CEQA.

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EXHIBIT B - CONDITIONS OF APPROVAL - D0000224P

Authorized Use

1. This approval authorizes the construction of a 1250 square foot addition to an existing single family residence resulting in a 2172 square foot house. **Maximum height is 15 feet as measured from the centerline of the fronting street.** Minimum setbacks front: 5', north side :5', south side 6 1/2 feet, and rear: 25'.
2. **Prior to issuance of a building permit** the applicant shall submit revised plans showing a 6 1/2 foot south side setback.
3. Site development shall be consistent with the approved site plan, elevations and floor plans.

Archaeology

4. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease, and the Environmental Coordinator and the Planning Department shall be notified so that the extent and location of discovered material may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and the Environmental Coordinator so the proper disposition may be accomplished.

Trees

5. **All construction** shall be consistent with the arborist's reports dated May 2, 2001 from Blair McCormick/McCormick's Tree and May 2001 from Joseph Nordella/Nordella's Horticultural Service. **Prior to final of the building permit**, the applicant shall submit to the Department of Planning and Building verification that the recommendations in both arborists report were implemented, as required by the Department of Planning and Building.

Transfer Development credits

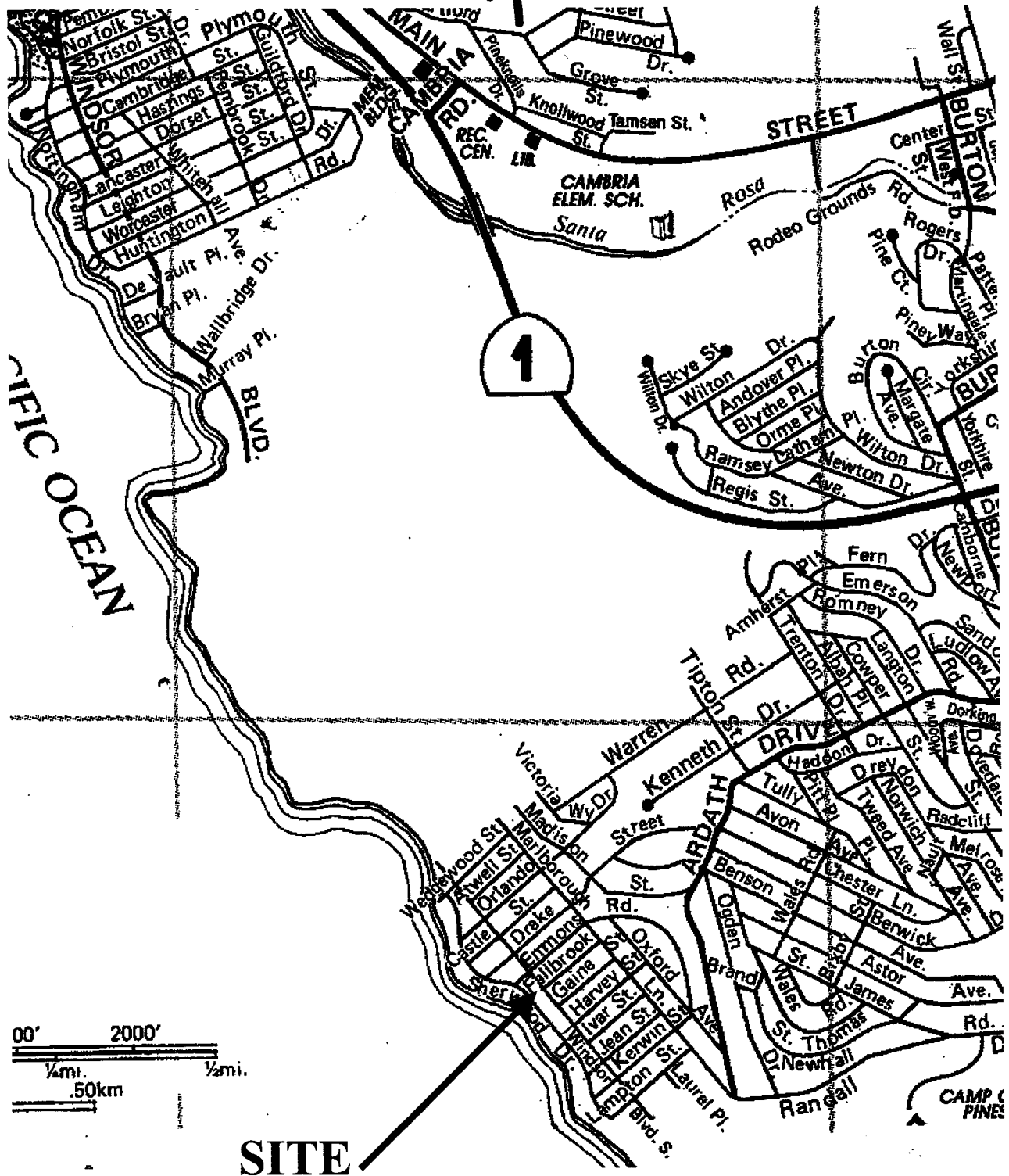
6. **Prior to issuance of construction permits**, provide written verification from the Land Conservancy of San Luis Obispo County that 343 square feet of Gross Structural Area has been transferred from a parcel within a special project area to the subject property.

Coastal Access

7. **Prior to issuance of construction permits**, in a form acceptable to County Counsel, the applicant shall provide a lateral access dedication of 25 feet of beach available at all times during the year. Where topography limits the beach to less than 25 feet, lateral access shall extend from the mean high tide to the toe of the bluff.

Report prepared by: Kerry O'Neill and reviewed by Matt Janssen.

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SITE

PROJECT

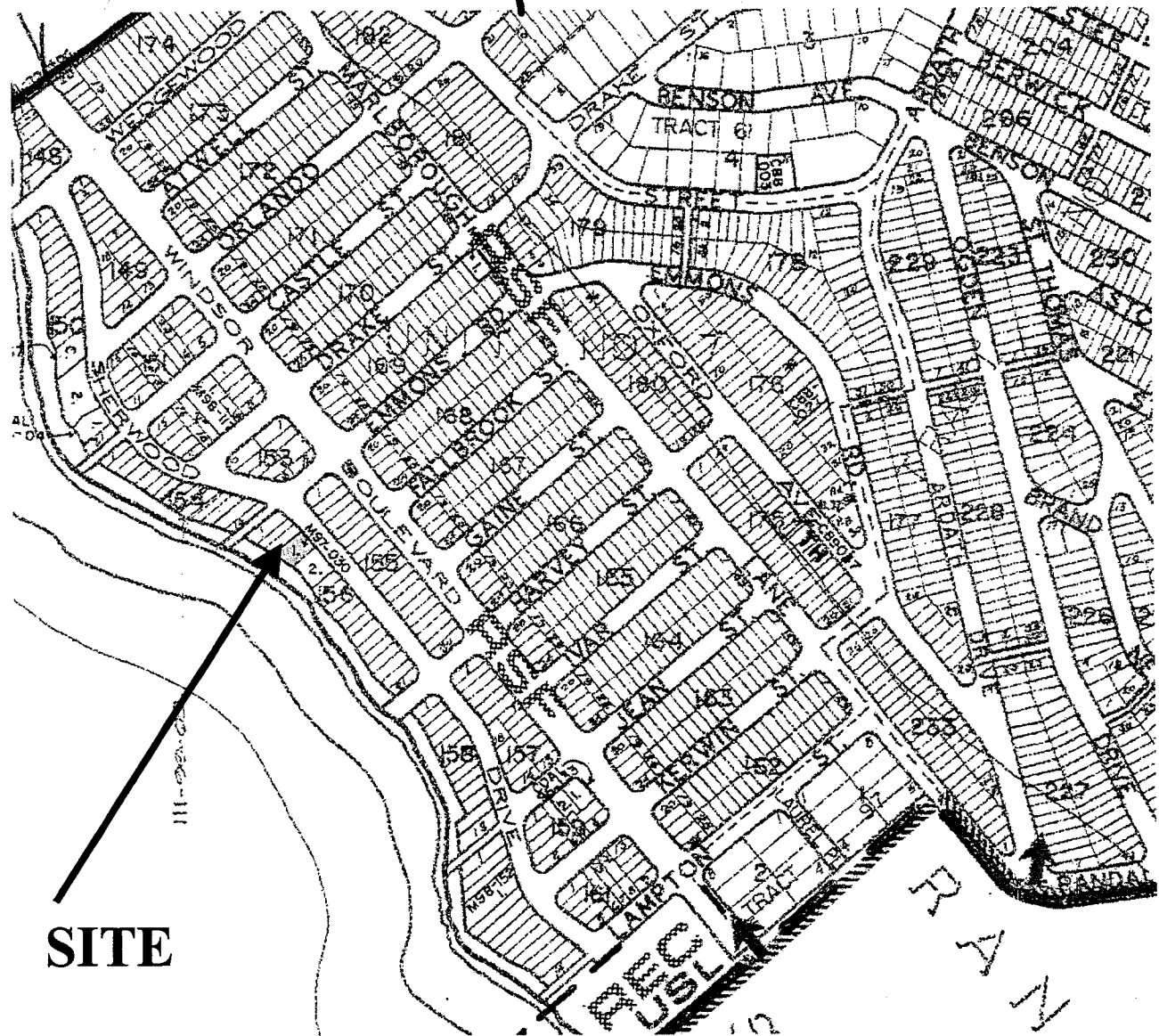
Minor Use Permit
Reynolds D000224P



EXHIBIT

Vicinity Map

4-10



SITE

PROJECT

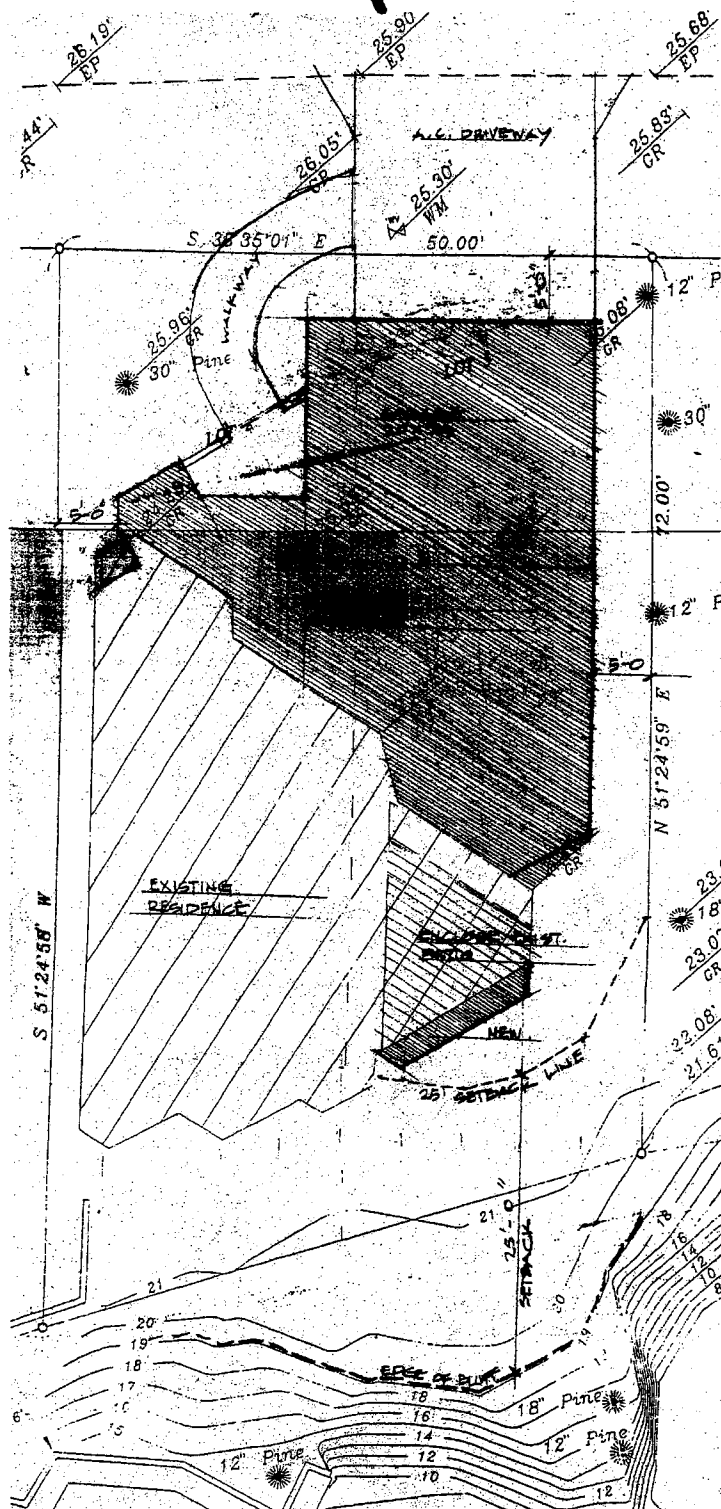
Minor Use Permit
Reynolds D000224P



EXHIBIT

Land Use Category Map

4-11



PROJECT

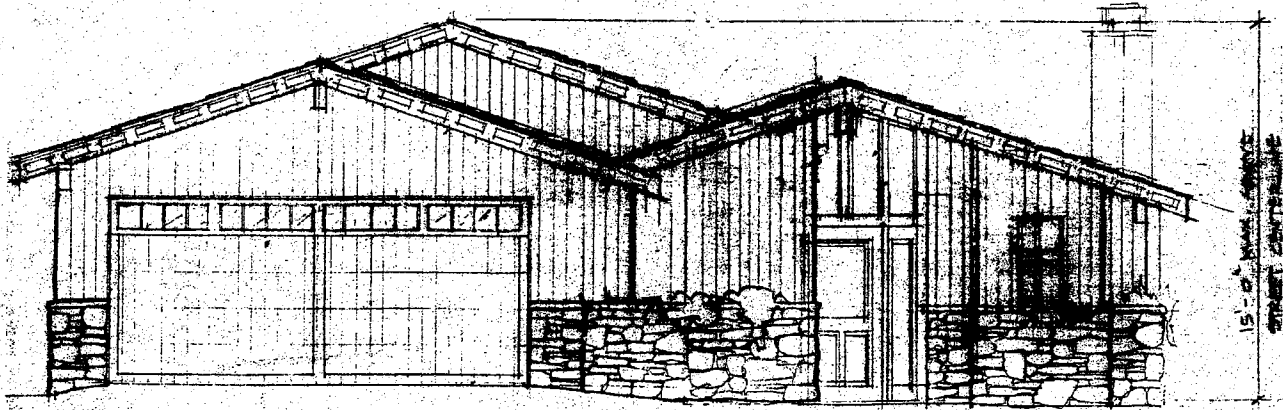
Minor Use Permit
Reynolds D000224P



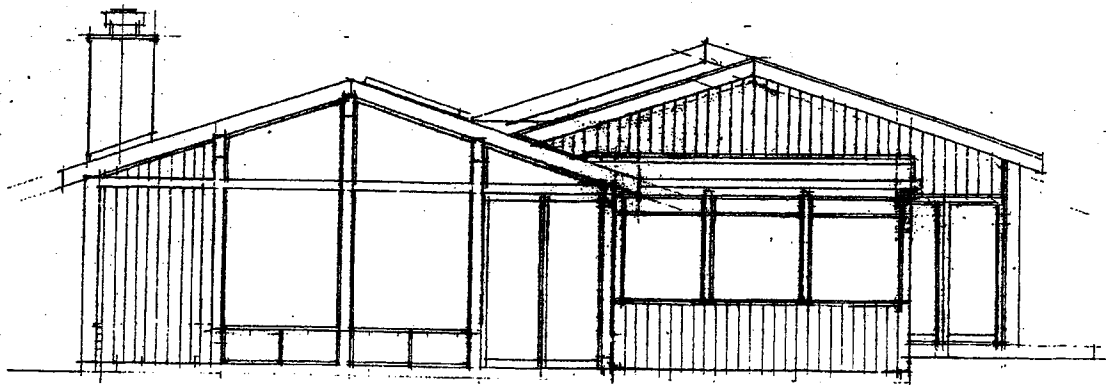
EXHIBIT

Site Plan

4-12



EAST ELEVATION



WEST ELEVATION

PROJECT

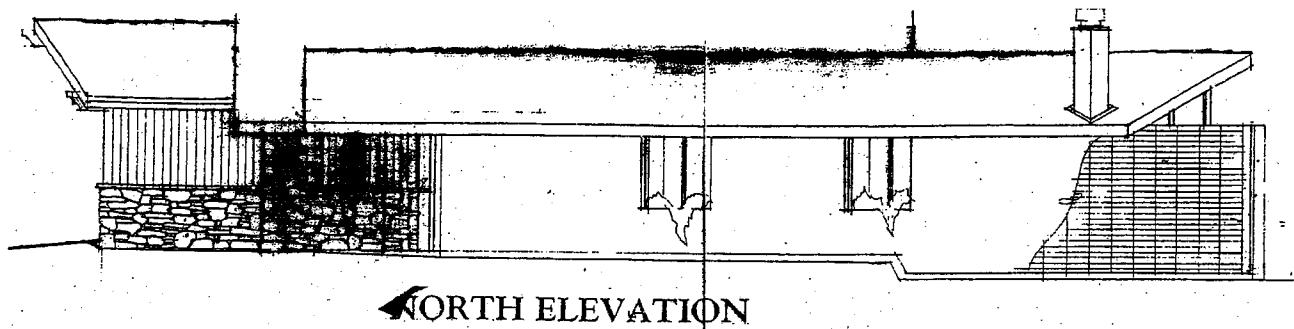
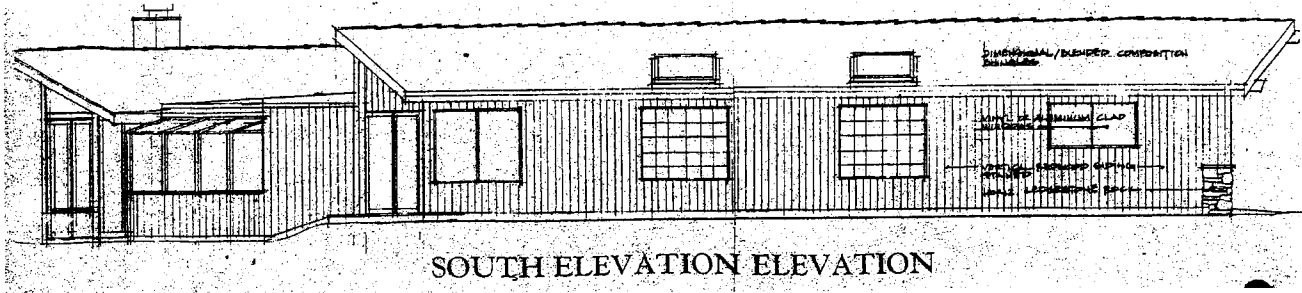
Minor Use Permit
Reynolds D000224P



EXHIBIT

Elevations

4-13



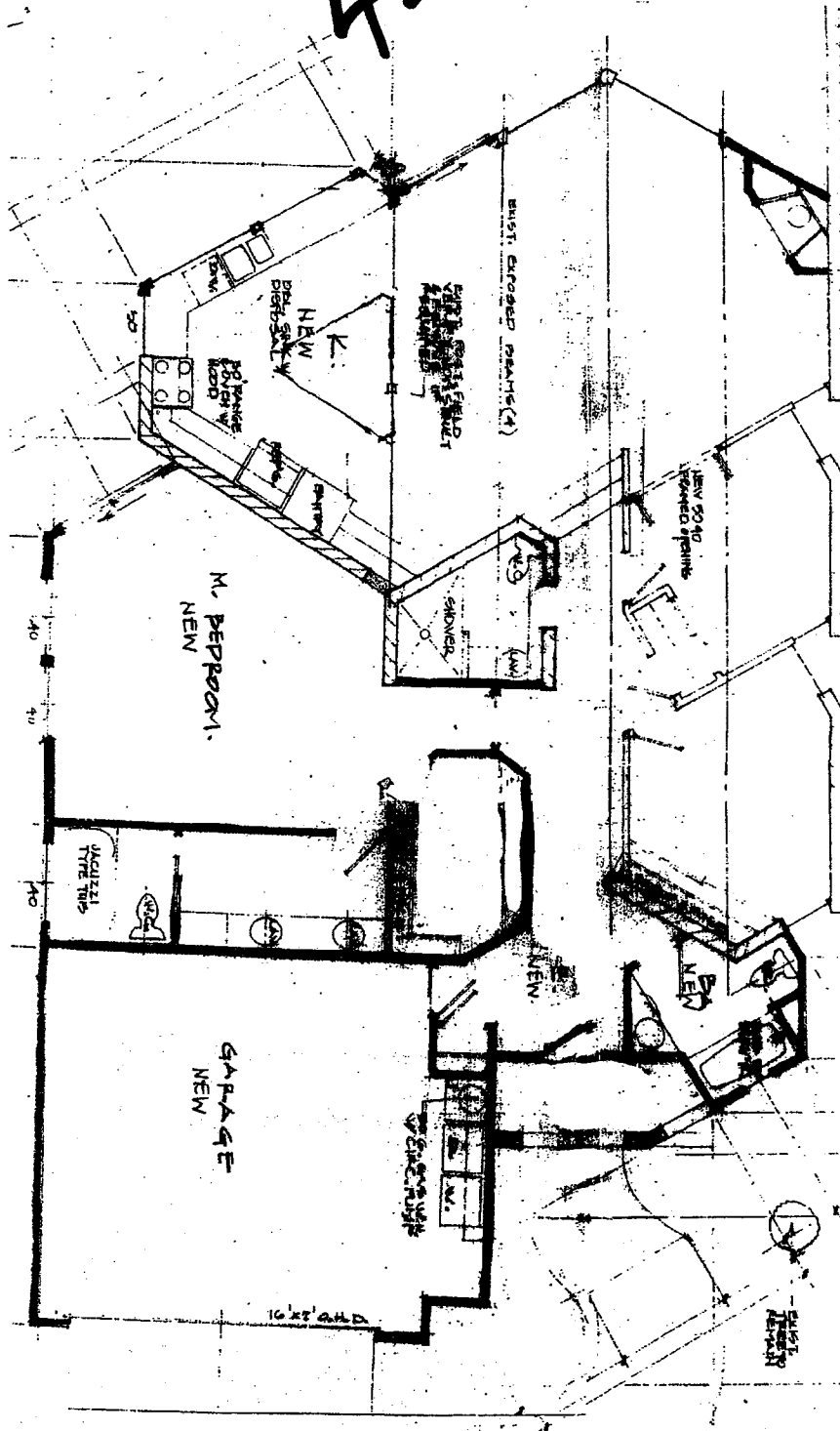
PROJECT

Minor Use Permit
Reynolds D000224P



EXHIBIT

Elevations



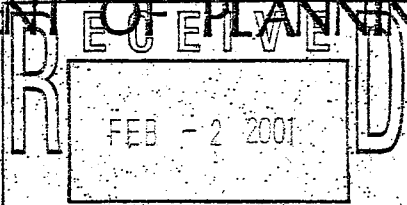
**Minor Use Permit
Reynolds D000224P**



Floor Plan



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING



COUNTY OF SAN LUIS OBISPO
THIS IS A NEW PROJECT REFERRAL

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

DATE: 1/5/01

From: Eng

To: Coastal Team

Reynolds/DO002249
Project Name and Number

Development Review Section (Phone 781-5103)

PROJECT DESCRIPTION: Construct 1165 sf addition to existing single family residence.

Return this letter with your comments attached no later than: 1/19/01

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

No concerns at this time.

2/2/01
Date

Mike Britton
Name

x 5118
Phone



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

2310
4-16
THIS IS A NEW PROJECT REFERRAL

RECEIVED
FEB 15 2001
VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

DATE: 1/5/01

TO: CSD (Fire)

FROM: Coastal Team

Reynolds/0000224P
Project Name and Number

Development Review Section (Phone 781-5103)

PROJECT DESCRIPTION: Construct 1165 sf addition to existing single family residence.

Return this letter with your comments attached no later than: 1/19/01

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

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☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

NO COMMENTS

2/13/01
Date

Steve Butts
Name

927-6240 ext 12
Phone



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

4-17

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: 1/5/01

TO: CSD (water)

FROM: Coastal Elem

Reynolds/D000224P
Project Name and Number

Development Review Section (Phone 781-5193)

PROJECT DESCRIPTION: Construct 1165 sf addition to existing single family residence.

Return this letter with your comments attached no later than: 1/19/01

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

"Water & sewer" letter issued 12/20/00.

2/7/01
Date

Joyce Harmon
Name

927-6223
Phone

COPY

New LTR
PETER HORTON

RECEIVED Jan 1

MAY 22 2001

Planning & Bldg

4-18
4r copy to Agent 5/2

May 21, 2001

VIA FEDERAL EXPRESS

Chris Macek
Minor Use Permits
San Luis Obispo County
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Re: **Notice of Tentative Action/ Public Hearing**
Reynolds/ Brown
2187 Sherwood Drive, Cambria

Dear Ms. Macek:

I am the owner of the property at 2171 Sherwood Drive, immediately to the south of the above-referenced property. This letter is written in response to my receipt of a notice of Tentative Action/ Public Hearing from the San Luis Obispo Department of Planning and Building, dated April 13, 2001, pertaining to a request by James Reynolds and David Brown for a Minor Use Permit to allow an addition to their home at 2187 Sherwood Drive.

For the reasons described below, I respectfully request that the County Zoning Administrator not approve without further discussion, analysis and inquiry on the matter, the Reynolds/ Brown request. In the interest of brevity, I will limit my discussion here to two substantive issues and I would be pleased to address these concerns further before your Department, either publicly or privately.

I. Impairment of View Corridors

As you know, over the years San Luis Obispo County and the California Coastal Commission have enacted and enforced various measures to protect and enhance views of our local coastline. These measures have included the establishment of reasonable restrictions on the development of coastal and bluff properties, including, among others, height restrictions and setback rules. Thanks to such sensible limits, the wonderful views accessible not only to my family and

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me from my property but to all members of our community have been protected for all of us to enjoy.

The Reynolds/Brown proposal, if granted, would enable the construction of an addition to the applicants' dwelling which would substantially and adversely impact coastal views from Sherwood Drive to my family's detriment and to the detriment of other members of and visitors to our community.

II. Threat to Monterey Cypress Trees

Approximately six Monterey cypress trees create a natural, aesthetically pleasing boundary between my property at 2171 Sherwood Drive and the applicants' property.

Construction of the improvements contemplated by the applicants' petition poses a threat to the health of the cypress trees. In order to responsibly evaluate the Reynolds/ Brown application, it seems not only advisable but necessary that the department determine whether the planned structure and its foundation are compatible in the short and long run with the cypress trees and their root system. In this regard, the opinions of one or more qualified licensed arborists should be solicited and examined carefully. Failure to do so, I believe, would amount to reckless disregard for the trees and for the sensibilities of all members of our community whose lives are enhanced by their presence.

I hereby request that this letter be submitted for consideration at any public hearing regarding the Reynolds/Brown application. By this letter, I also wish to reserve any right to request such a hearing myself.

Sincerely,



Peter Horton

PETER HORTON

4-20

May 21, 2001

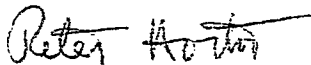
Jamie,

As you know from our recent conversations the setback from our mutual property line is very important to me, both for the health of the trees and the view corridor and open space potential between our houses. We've talked about this a number of times and although we understand each other's views I think we have an honest and respectful disagreement on this issue. You would like to build out your property as much as you can which brings you right up to five feet from the trees and property line, I would like at least seven feet. I know two feet doesn't sound like a lot but when we're talking about trees and lot sizes that come in lumps of 25 feet, two feet means a lot. It means a lot to the trees and it means a lot to the aesthetic for not only both our properties but for the view corridor it provides the community from the street.

Since we don't seem to be able to find a solution that feels right to both of us, and out of respect for you and our mutual desire to remain harmonious neighbors, I am sending you a copy of the letter I will be sending the county to request a hearing and get their input. I really hope this doesn't feel like another "slap in the face" to you because it is in no way intended as such. It 's just the only way I see to resolve this issue to some form of satisfaction. It is not personal. Remodels are very stressful in many ways. I truly believe that once this is behind all of us and you are actually in your new home it will be beautiful and be every thing you want it to be even if it's not filling your entire lot. I certainly know I feel that way and my house is over TEN feet from our mutual property line.

I will be in Washington D.C. for the first part of this week but will be reachable through my office if you want to discuss this further. Once again I want to stress that we can find a solution that satisfies us both and having the county as arbiter I believe will help us do that.

Respectfully,



Peter Horton

4-21

May 15, 2001

RECEIVED
MAY 17 2001
Planning & Bldg

Mr. Kerry O'Neill
San Luis Obispo County Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

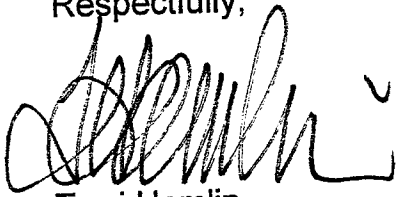
Dear Mr. O'Neill:

We received notification regarding the home expansion plans for the property owned by James Reynolds at 2187 Sherwood Drive, Cambria (County File Number D000224P). As home owners of property across the street at 2166 Sherwood Drive, we have some concerns regarding the Reynolds' proposal, which we would like to have discussed at the hearing to be held on Friday, June 1, 2001 at 10:00 A.M.

Specifically, we are concerned about the welfare of some beautiful mature Monterey pines that border the Reynolds' property to the south. Should building occur near them as the current plans indicate, we fear that the root structure of these trees will be damaged, which could devastate the trees' ability to survive. The trees are currently vigorous and contribute a lasting beauty to our street that is becoming increasingly rare to see in Cambria, given the rate of new construction, as well as the incurable toll upon native trees from the pitch canker disease. To jeopardize the viability of such a natural resource by building in close proximity is foolhardy.

We hope that our concerns can be discussed and that a reasonable solution can be determined. Should you need to contact us, please do so at our primary address as noted below. We appreciate your attention in this matter.

Respectfully,



Terri Hamlin



K. Thomas Hamlin

7805 Hemingway Avenue
San Diego, CA 92120
(619) 286-9269

May 15, 2001

4.22

RECEIVED

MAY 22 2001

Planning & Bldg

Mr. Matt Janssen
Environmental Specialist
Department of Planning and Building
San Luis Obispo County

Dear Mr. Janssen,

This letter is in regards to County File Number D000224P, relating to an expansion project located at 2187 Sherwood Drive, Cambria.

We have a concern for the safety and health of the beautiful Monterey Cypress trees located on the adjacent property.

These trees are part of a view corridor that is enjoyed by locals and visitors alike. The trees also provide refuge and nesting for several species of birds.

The expansion of the existing home at 2187 Sherwood Drive will require extensive foundation work. Foundation work requires soil excavation either by hand or machine. The excavation work will disturb the root systems of these magnificent trees. In addition, the concrete work that is required for the foundation will cause chemical changes in the soil. These chemical changes will have a negative impact. The health of the trees will be jeopardized.

We reside directly across the street from 2187 Sherwood Drive. We are full time residents. We see on a daily basis the joy the trees bring to folks who stop to enjoy them. We also see the positive environmental impact the trees provide.

This project must be closely scrutinized to prevent any harm from coming to the trees. These are rare trees here on Marine Terrace. They must be protected.

Sincerely,


Ronald R. Muller and Sharolyn R. Muller

2180 Sherwood Drive
Cambria, CA 93428-4412

May 19, 2001

4.23

SLO CNTY
PLANNING/BUILDING
DEPT
2001 MAY 23 AM 9:40

Ms. Kerry O'Neill
Department of Planning & Building
County Government Center
San Luis Obispo, CA. 93408.

Re: Reynolds/Brown Minor Use Permit/Coastal Development #D000224P
APN: 023-041-043, 2187 Sherwood Drive, Cambria

Dear Ms. O'Neill:

I hereby request a public hearing and reserve all rights of appeal regarding, but not limited to the following:

Correct application of 25' bluff setback from rear property line.

Minimum 7' public view corridor with access at Southeast for standard total of 10' side yards, including existing substandard 3' side yard at Northwest.

Independent evaluation of significant architectural resource by Warren Leopold (master builder), for the community of Cambria, Per California Environmental Quality Act guidelines.

No use of transfer development credits for inappropriate receiver site on coastal bluff.

Need for accurate information to address additional concerns.

Thank you,

Dodie Herzog
Dodie Herzog

619 Grove St.
San Luis Obispo
CA 93401

543-1370

4-24

COUNTY OF SAN LUIS OBISPO
NOTICE OF DETERMINATION AND
NEGATIVE DECLARATION

For Official Use Only (ko)

ENVIRONMENTAL DETERMINATION NO. ED00-477

DATE: APRIL 20, 2001

PROJECT DESCRIPTION

APPLICANT/ENTITLEMENT: Reynolds Minor Use Permit; D000224P

PLANNING AREA: North Coast, Cambria

LAND USE CATEGORY: Residential Single Family

LUE COMBINING DESIGNATIONS: Local Coastal Plan, Archaeologically Sensitive Area, Coastal Appealable Zone

PARCEL SIZE: Approximately 4,000 square feet

TOTAL AREA OF DISTURBANCE: Approximately 2,400 square feet

LOCATION: 2187 Sherwood Drive, approximately 60 feet southwest of Emmons Road, in the community of Cambria

PROPOSED USES/INTENT: A request for a coastal development permit to grade for and construct an addition of 1,250 square feet to an existing single family residence

APPLICANT: Jamie Reynolds; Glendale, CA

ENVIRONMENTAL SETTING

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Grasses; forbs

SOIL TYPE: Concepcion loam

SOIL CHARACTERISTICS: Very poorly drained; moderate erodibility; low to high shrink-swell potential; may present some limitations to the percolation of sewage effluent due to slow percolation

GEOLOGIC HAZARDS: Low landslide potential; low to moderate liquefaction potential

FIRE HAZARD: Moderate

WATER: To be provided by Cambria Community Service District

SEWAGE DISPOSAL: To be provided by Cambria Community Service District

EXISTING USES: Single family residence

SURROUNDING USES: Single family residences

ADDITIONAL INFORMATION

Additional information pertaining to this environmental determination may be obtained by contacting the Department of Planning and Building - Environmental Division, County Government Center, Room 310, San Luis Obispo, CA 93408-2040, (805) 781-5600.

STATEMENT OF FINDINGS

The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Sections 21108, 21151 & 21167) is proposed.

ACTION TAKEN

On _____, 20____, the San Luis Obispo County Board of Supervisors/Planning Commission/Staff, having considered the Environmental Coordinator's action, approved/denied this project.

A copy of the Negative Declaration is available for review from the San Luis Obispo County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040.

4-25

California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

PROJECT TITLE & NUMBER: REYNOLDS MINOR USE PERMIT; ED00-477 (D000224P)

Project Applicant

Name: Jamie Reynolds
Address: 819 Harmon Place
City, State, Zip Code: Glendale, CA 91208
Telephone #: _____

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- (X) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____.
- () Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Kerry Neill for
Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 4/20/01

- A. The project has been changed to avoid or substantially lessen environmental impacts. Where changes require explanation, the change(s) will be discussed in the Special Environmental Considerations section or attached material following the checklist.
- B. The project is subject to standards and requirements of the Land Use Element/Land Use Ordinance and/or other County ordinances that include provisions to avoid or substantially lessen environmental impacts. These provisions are requirements that must be incorporated into the project.
- C. The project is subject to state and/or federal regulations, laws and/or requirements that include provisions to avoid or substantially lessen environmental impacts. The project must incorporate the above provisions in order to be in compliance with Federal or State law.
- D. A special mitigation plan to avoid or lessen environmental impacts has been agreed to by the applicant. This will be noted on the checklist and, if necessary, discussed in an attachment to the checklist.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

4-26

Not Applicable
Insignificant Impact
Impact Can & Will be Mitigated
Potentially Significant Impact

I. BIOLOGICAL RESOURCES

- | | |
|--|-----------------|
| A. Wildlife | () () (X) () |
| B. Vegetation | () () (X) () |
| C. Habitat Area | () () (X) () |
| D. Rare and/or Endangered Species | () () (X) () |
| E. Unique or Fragile Biotic Community | () () (X) () |
| F. State Area of Special Biological Importance | () () (X) () |
| G. Riparian/Wetland Area | () () (X) () |
| H. Other: _____ | () () () () |

Mitigation: A ___ B ___ C ___ D ___

- () See attached exhibits: () Developer's Statement; () Agency Response _____
- () Revised Plans; () Designated Bldg Sites
- () See Special Environmental Considerations
- () See Document in file _____

II. DRAINAGE, EROSION AND SEDIMENTATION

- | | |
|--|-----------------|
| A. Increased Storm Water Runoff | () () (X) () |
| B. Erodible Soils/Erosion | () () (X) () |
| C. Poorly Drained Soils | () () (X) () |
| D. Sedimentation | () () (X) () |
| E. Contributes to Existing Drainage Problem | () () (X) () |
| F. Alters Existing Drainage Course or Waterway | () () (X) () |
| G. Other: _____ | () () () () |

Mitigation: A ___ B ___ [see LUO sec.22.05.032(CZLUO 23.05.032); C ___ D ___
22.05.034(CZLUO 23.05.034)]

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
- () Sedimentation & Erosion Control/Drainage Plan
- () See Special Environmental Considerations () See Document in file _____

4-27

Not Applicable
Insufficient Impact
Impact Can & Will be Mitigated
Potentially Significant Impact

III. GEOLOGICAL HAZARDS/SITE ALTERATION

- | | | |
|----|--|-----------------|
| A. | Landslide Hazard | () () (X) () |
| B. | Seismic Hazard | () () (X) () |
| C. | Topographic Alteration; Grading for
Building <u>X</u> , Driveways <u>X</u> , Roads __, Other __ | () () (X) () |
| D. | Soil Expansion | () () (X) () |
| E. | Steep Slopes | () () (X) () |
| F. | Other: _____ | () () () () |

Mitigation: A __ B __ C __ D __

() See attached exhibit(s): () Developer's Statement; () Agency Response _____

() Sed./Erosion Control Plan; () Revised Plans; () Designated Bldg Sites

() See Special Environmental Considerations

* (X) See Document in file Bluff Retreat Study Cleath & Associates 11/19/96 & 3/19/01

IV. WATER RESOURCES

- | | | |
|----|---------------------------------|-----------------|
| A. | Groundwater Quantity | () () (X) () |
| B. | Groundwater Quality | () () (X) () |
| C. | Surface Water Quantity | () () (X) () |
| D. | Surface Water Quality | () () (X) () |
| E. | Stream Flow Change | () () (X) () |
| F. | Change to Estuarine Environment | () () (X) () |
| G. | Other: _____ | () () () () |

Mitigation: A __ B __ C __ D __

() See attached exhibit(s): () Developer's Statement; () Agency Response _____

() Hydrology Report

() See Special Environmental Considerations

() See Document in file _____

V. POLLUTION

- | | | |
|----|---|-----------------|
| A. | Hazardous Materials | () () (X) () |
| B. | Groundwater Pollution | () () (X) () |
| C. | Surface Water Pollution | () () (X) () |
| D. | Increase in Existing Noise Levels | () () (X) () |
| E. | Exposure of People to Severe Noise Levels | () () (X) () |
| F. | Substantial Air Emissions | () () (X) () |
| G. | Deterioration of Ambient Air Quality | () () (X) () |
| H. | Creation of Objectionable Odors | () () (X) () |
| I. | Other: _____ | () () () () |

Mitigation: A __ B __ C __ D __

() See attached exhibit(s): () Developer's Statement; () Agency Response _____

() Hydrology/Noise Study

() See Special Environmental Considerations () See Document in file _____

428

Not Applicable
Insignificant Impact
Impact Can & Will be Mitigated
Potentially Significant Impact

VI. TRAFFIC

- | | |
|--|-----------------|
| A. Increase in Vehicle Trips | () () (X) () |
| B. Reduced Levels of Service on Existing Public Roadways | () () (X) () |
| C. Limited or Unsafe Access | () () (X) () |
| D. Creates Unsafe Conditions on Public Roadways | () () (X) () |
| E. Areawide Traffic Circulation | () () (X) () |
| F. Internal Traffic Circulation | () () (X) () |
| G. Other: _____ | () () (X) () |

Mitigation: A ___ B ___ [see Co. Code Title 13.01.010-.060; _____ Circulation Fee]; C ___ D ___
 () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () Traffic Study
 () See Special Environmental Considerations
 () See Document in file _____

VII. PUBLIC SERVICES

- | | |
|-----------------------------|-----------------|
| A. Fire Protection Services | () () (X) () |
| B. Police/Sheriff Services | () () (X) () |
| C. Schools | () () (X) () |
| D. Community Wastewater | () () () (X) |
| E. Community Water Supply | () () () (X) |
| F. Solid Waste Disposal | () () (X) () |
| G. Onsite Wastewater | () () (X) () |
| H. Onsite Water | () () (X) () |
| I. Other: _____ | () () () () |

Mitigation: A ___ B ___ (School Fee, Countywide Fee) C ___ D ___
 () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

VIII. AESTHETIC/CULTURAL RESOURCES

- | | |
|--------------------------------------|-----------------|
| A. Visual Impact from Public Roadway | () () (X) () |
| B. Increased Light or Glare | () () (X) () |
| C. Alters Important Scenic Vista | () () (X) () |
| * D. Archaeological Resources | () () (X) () |
| E. Historic Resources | () () (X) () |
| F. Other: _____ | () () () () |

Mitigation: A ___ B ___ C ___ D ___
 () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () Visual Analysis; () Revised Plans; () Landscape Plan; () Designated Bldg Sites
 * () See Special Environmental Considerations (X) Document in file Singer 1/4/01

4-29

Not Applicable
Insignificant Impact
Impact Can & Will be Mitigated
Potentially Significant Impact

IX. HOUSING AND ENERGY

- | | | |
|----|--|-----------------|
| A. | Creates Substantial Demand for Housing | () () (X) () |
| B. | Uses Substantial Amount of Fuel or Energy | () () (X) () |
| C. | Encourages Growth Beyond Resource Capacities | () () (X) () |
| D. | Other: _____ | () () () () |

Mitigation: A ___ B ___ C ___ D ___

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

X. AGRICULTURAL/MINERAL RESOURCES

- | | | |
|----|---|-----------------|
| A. | Eliminates Valuable Mineral Resources | () () (X) () |
| B. | Prime Agricultural Soils | () () (X) () |
| C. | Conflicts with Existing Agricultural Area | () () (X) () |
| D. | Change from Agriculture to Other Uses | () () (X) () |
| E. | Other: _____ | () () () () |

Mitigation: A ___ B ___ C ___ D ___

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

XI. GROWTH INDUCING/CUMULATIVE EFFECTS

- | | | |
|----|---|-----------------|
| A. | Growth Inducing Effects | () () (X) () |
| B. | Precedent for Change in Area Land Use | () () (X) () |
| C. | Cumulative Effects: <u>Fire Protection Services</u> | () (X) () () |
| | <u>Police / Sheriff Services</u> | () (X) () () |
| | <u>Schools</u> | () (X) () () |
| | _____ | () () () () |
| | _____ | () () () () |
| D. | Other: _____ | () () () () |

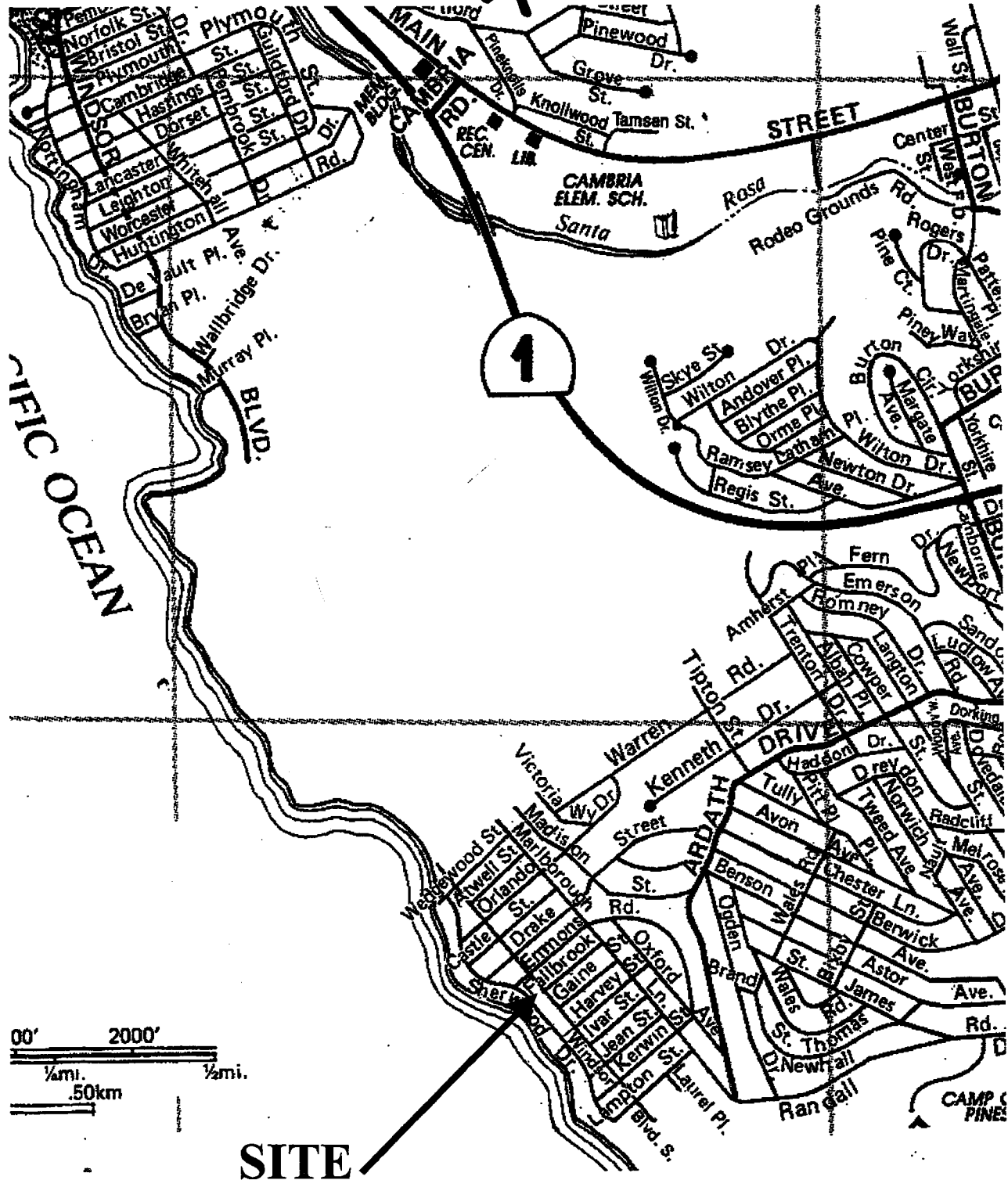
Mitigation: A ___ B ___ (School Fee, Countywide Fee) C ___ D ___

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

INITIAL STUDY PREPARATION

Prepared by: Name Kerry O'Neill Signature Kerry O'Neill Date 4/13/01
 Reviewed by: Name John Nall Signature John Nall Date 4/13/01

A-240



SITE

PROJECT

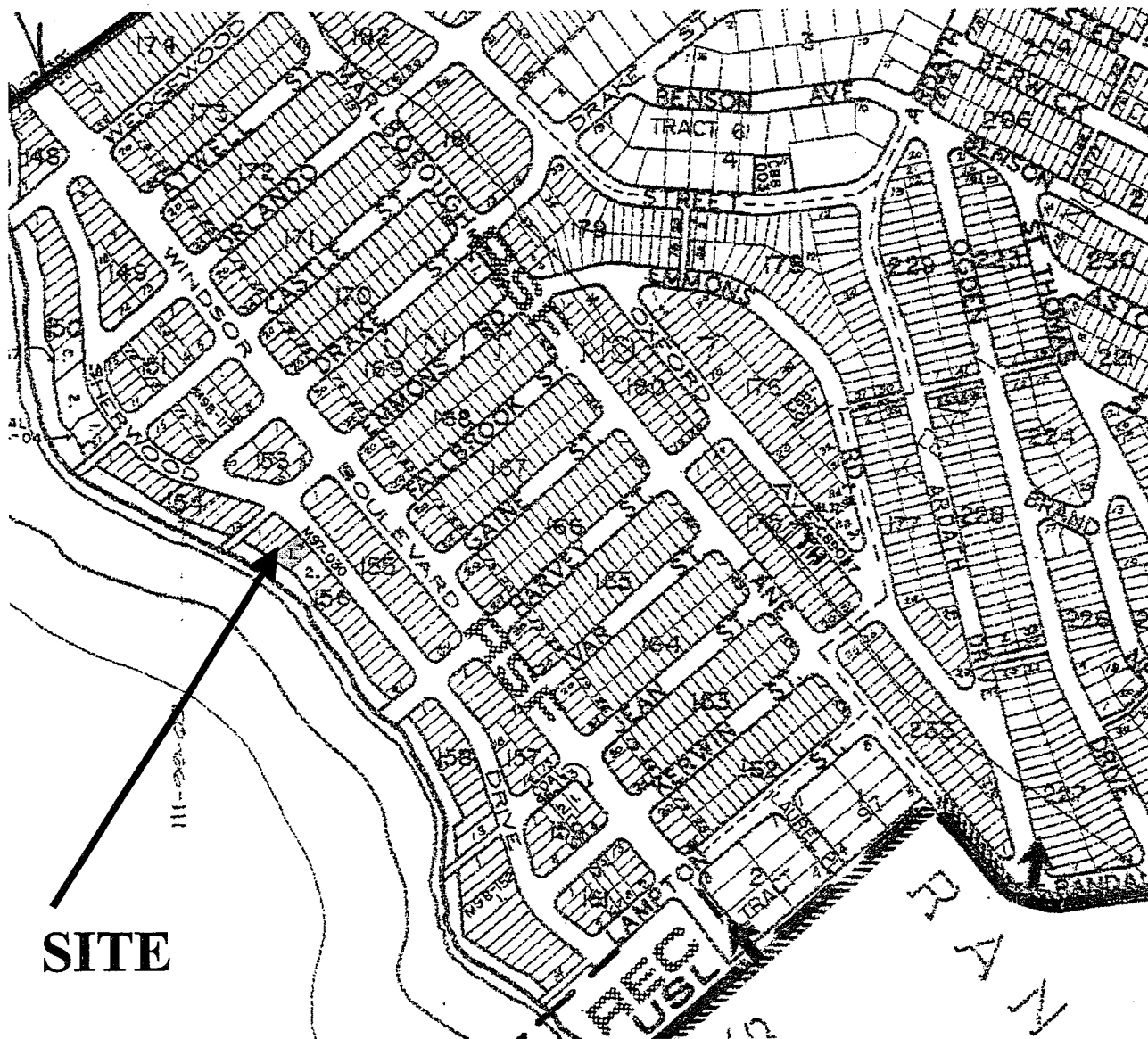
Minor Use Permit
Reynolds D000224P



EXHIBIT

Vicinity Map

4-31



SITE

PROJECT

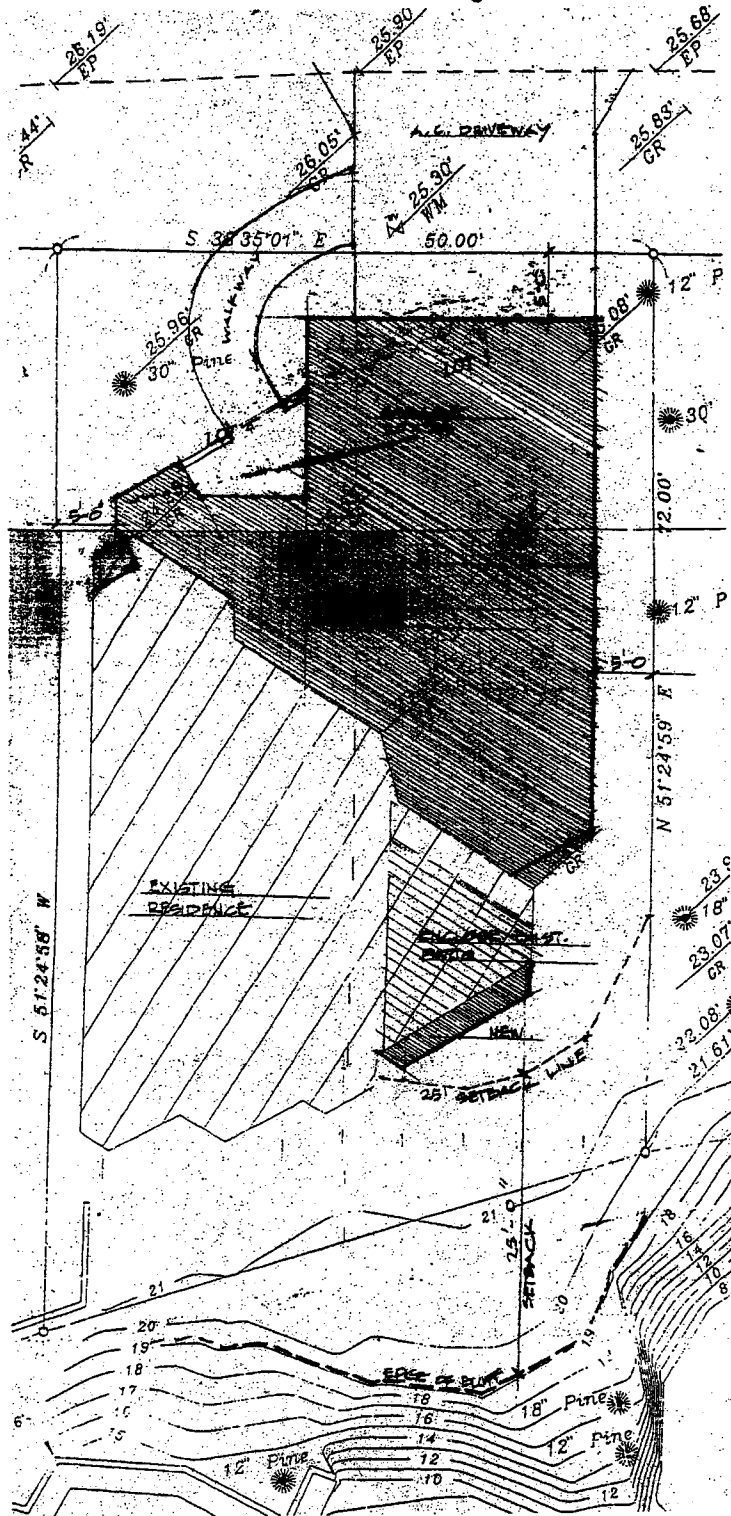
Minor Use Permit
Reynolds D000224P



EXHIBIT

Land Use Category Map

4-32



PROJECT

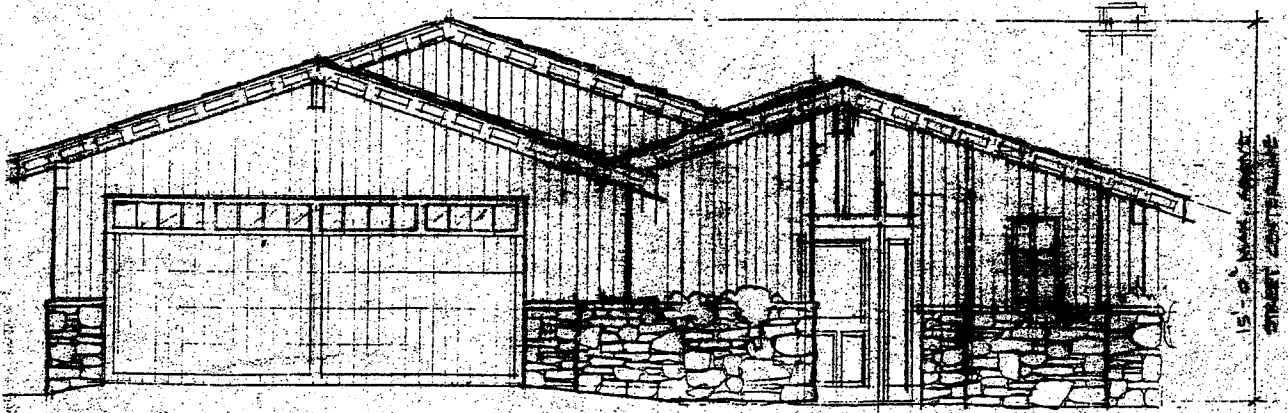
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Reynolds D000224P



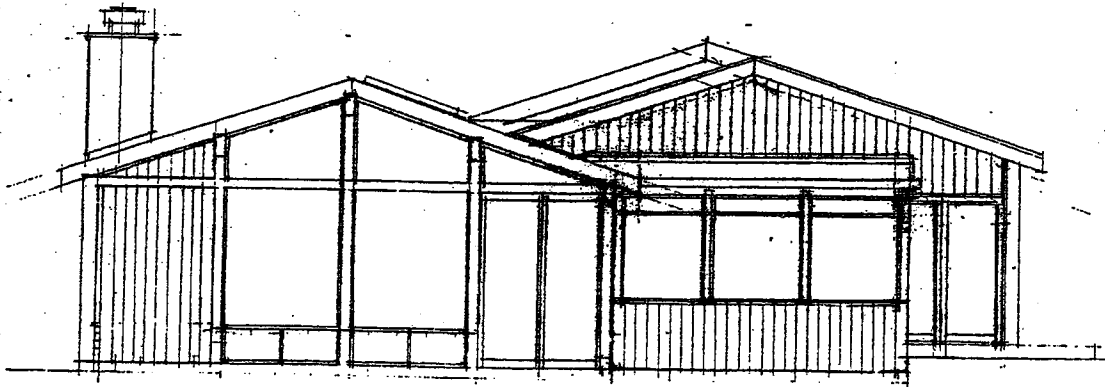
EXHIBIT

Site Plan

A-33



EAST ELEVATION



WEST ELEVATION

PROJECT

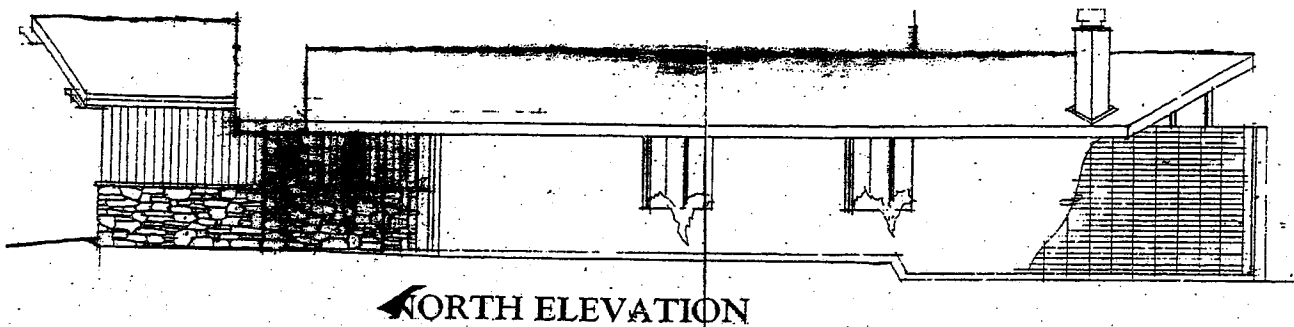
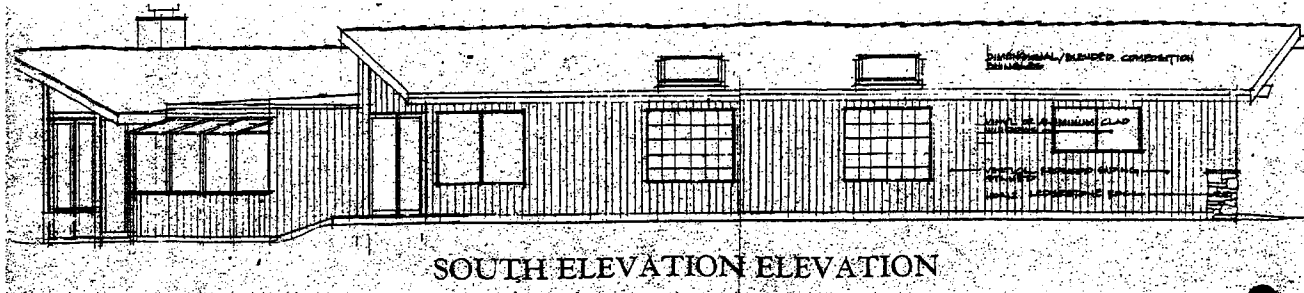
Minor Use Permit
Reynolds D000224P



EXHIBIT

Elevations

4-34



PROJECT

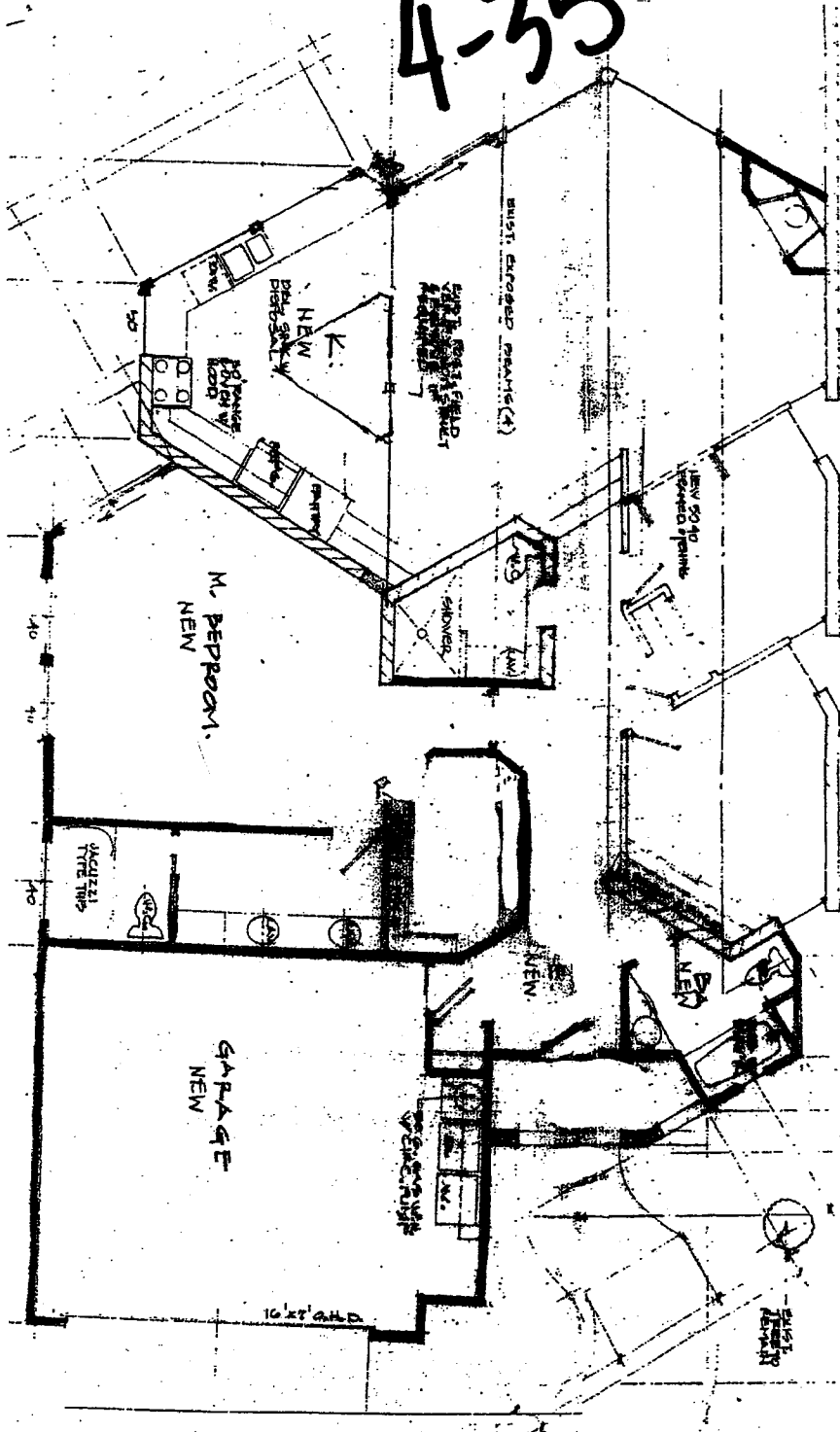
Minor Use Permit
Reynolds D000224P



EXHIBIT

Elevations

4-35



PROJECT

Minor Use Permit
Reynolds D000224P



EXHIBIT

Floor Plan